

Motion denied. /s/Dan Aaron Polster 5/17/21

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF OHIO

EASTERN DISTRICT

FILED
MAY 17 2021
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

)
In Re: National Prescription Opiate) MDL 2804
Litigation) Case No. 1:17-MD-2804
)

**MOTION FOR RECONSIDERATION OF DISTRICT COURT'S ORDER DENYING INTERVENTION,
OR IN THE ALTERNATIVE, NOTICE OF APPEAL**

To: The Honorable Dan Aaron Polster.

NOW COMES the Petitioners, Salih, formerly known as Cecil La'Roy Hall, Mark Brown, Jason Hall, Jerome Roberts, Waltona Winchester, and Jackie Brooks, representing all those similarly situated (The Cognizable Class), and move this Honorable Court for re-consideration of its order, dated, April 29, 2021, denying their motion to intervene in this Multi-District Litigation as a right, or alternatively, treat these moving papers as a Notice of Appeal pursuant to Appellate Procedure Rule 3. The Plaintiffs / Petitioners move this Court for re-consideration pursuant to Federal Rules of Civil Procedure, Rules 59(e) and 60(b). More specifically, Plaintiffs / Petitioners move this court for re-consideration pleading Rule 59(e) provides the court with authority to correct a clear error of law or to prevent manifest injustice and Rule 60(b) allows to correct mistake arising from oversight or omission whenever one is found in a judgment.

Petitioners / Plaintiffs will show the following in support of this motion:

1. Plaintiffs / Petitioners first, and once again, re-assert that they are, and represent, the real party of interest, and that it is abundantly evident in the news coverage of the settlement of this case that no party has sought to assert, protect, or represent the direct interest of the actual victims of the opiate epidemic. Nothing is set aside to compensate the victims of the defendants actions for their personal damages, such as for health conditions created by opiate dependency through the spectrum of medical and mental health consequences associated with opiates, exposure to illicit drugs, criminal episodes that are the direct result of prescribed opiate treatment, as well as loss of career, homes and even death. Nothing has been even remotely considered in settlement negotiations to compensate the real party in interest that represents the harm done to individuals and entire families devastated by the opiate